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AF/3739\$

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Attorney Docket No. 37167-8039.US00 (13724-844)



Applicant: Balbierz and Johnson
Serial No.: 09/823,903
Filing Date: March 30, 2001
For: TISSUE BIOPSY AND TREATMENT
APPARATUS AND METHOD
Examiner: VRETTAKOS, P.
Group Art Unit: 3739
Confirmation No. 7575

Mail Stop AF

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. Transmitted herewith are the following:
 - ☒ A Response Under 37 CFR 1.116 (After Final)
 - ☒ A Notice of Appeal
 - ☒ A Check in the amount of **\$165.00** covering the fee due.
2. Entity Status
 - ☒ Small Entity Status (37 CFR 1.9 and 1.27) is proper for this case.
3. Conditional Petition for Extension of Time:
An Extension of Time is requested to provide for timely filing if necessary for timely filing of this transmittal and enclosures.
4. Provisional Fee Authorization
Please charge any underpayment in fees for timely filing of this transmittal and enclosures to Deposit Account No. 50-2207.

Respectfully submitted,
Perkins Coie LLP

Jacqueline F. Mahoney
Registration No. 48,390

Date: March 24, 2004**Correspondence Address:**

Customer No. 22918
Phone: (650) 838-4410

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TECHNOLOGY CENTER H3700

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Balbierz and Johnson

SERIAL No.: 09/823,903

FILED: March 30, 2001

FOR: **TISSUE BIOPSY AND TREATMENT
APPARATUS AND METHOD**

EXAMINER: Vrettakos

ART UNIT: 3739

CONFIRMATION No.: 7575

Response Under 37 C.F.R. 1.116

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office action dated December 24, 2003 in the above-identified application, please amend the above-identified application as follows.

Remarks/Arguments begin on page 2 of this paper.

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